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OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTIETH LEGISLATURE

TWENTY-SECOND LEGISLATIVE DAY
MONDAY, FEBRUARY 1, 2010

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Cameron, Coiner, Schroeder, Siddoway, and Stegner, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Noah Bush, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of Friday, January 29, 2010, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 1, 2010

The JUDICIARY AND RULES Committee reports that [S 1302](#) and [S 1303](#) have been correctly printed.

DARRINGTON, Chairman

[S 1302](#) was referred to the Finance Committee.

[S 1303](#) was referred to the State Affairs Committee.

January 29, 2010

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

J. Phillip Reberger to the Idaho Judicial Council, term to expire July 1, 2015.

DARRINGTON, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

January 29, 2010

The JUDICIARY AND RULES Committee reports out [S 1267](#) with the recommendation that it do pass.

DARRINGTON, Chairman

[S 1267](#) was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

Senators Cameron, Coiner, Schroeder, and Stegner were recorded present at this order of business.

February 1, 2010

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Janice B. Vasser of Lewiston, Idaho, was appointed as a member of the Idaho Transportation Board to serve a term commencing February 1, 2010, and expiring January 31, 2016.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C. L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Transportation Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 29, 2010

Dear Mr. President:

I transmit herewith [H 418](#) and [H 397](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 418](#) and [H 397](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Local Government and Taxation Committee report relative to the Gubernatorial appointment of David Langhorst was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bilyeu, seconded by Senator Corder, the Gubernatorial appointment of David Langhorst as a member of the State Tax Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

[H 418](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 397](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 406](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1292](#), [S 1293](#), and [S 1294](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 379](#), by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1253](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Goedde, Hammond, Heinrich, Kelly, Keough, LeFavour, Lodge, Malepaii, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Smyser, Stennett (Stennett), Werk, Winder. Total - 29.

NAYS—None.

Absent and excused—Fulcher, Geddes, Hill, Jorgenson, Siddoway, Stegner. Total - 6.

Total - 35.

Whereupon the President declared [S 1253](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Kelly, by voice vote, the Senate adjourned at 11:56 a.m. until the hour of 2:30 p.m., Tuesday, February 2, 2010.

BRAD LITTLE, President

Attest: JEANNINE WOOD, Secretary